

Message Text

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FOLLOWING REPEAT USNATO 6192 ACTION SECSTATE INFO BELGRADE
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C O N F I D E N T I A L NATO 06192

BELGRADE FOR CSCE DELEGATION

E.O.11652: GDS

TAGS: NATO, PFOR, CSCE

SUBJECT: CSCE: FRG SUGGESTION FOR NATO QUESTIONNAIRE ON
HUMAN RIGHTS IN EASTERN EUROPE

REF: USNATO 5960

1. THERE FOLLOWS THE TEXT OF A PROPOSED QUESTIONNAIRE ON
CSCE IMPLEMENTATION AND HUMAN RIGHTS CIRCULATED BY FRG REP
AT JUNE 28 POLADS MEETING. FRG REP EXPLAINED THAT HIS
AUTHORITIES HAVE TRIED TO MAKE THE QUESTIONNAIRE AS PRECISE
AS POSSIBLE SO THAT ALLIED EMBASSIES IN EASTERN EUROPEAN
CAPITALS CAN PROVIDE BRIEF RESPONSES LARGELY ON THE BASIS
CONFIDENTIAL

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PAGE 02 STATE 158467

OF INFORMATION THEY ALREADY HAVE AVAILABLE. NOTING THAT FRG
EMBASSIES IN EASTERN EUROPE WOULD TAKE THE LEAD IN CONSUL-
TING WITH ALLIED COLLEAGUES ON A SINGLE COLLECTIVE RESPONSE,
FRG REP SUGGESTED THAT, AS WITH PREVIOUS NATO QUESTION-
NAIRES, EMBASSIES OF INTERESTED ALLIES FORWARD RESPONSES TO
CAPITALS AND TO NATO DELEGATIONS FOR REVIEW AND SUBMISSION
TO THE NATO INTERNATIONAL STAFF.

2. COMMENT: DESPITE LACK OF ENTHUSIASM ON THE PART OF SOME ALLIES, FRG REP HOPES TO ACHIEVE AGREEMENT ON DRAFT QUESTIONNAIRE AT JULY 5 POLADS MEETING SO THAT WORK CAN BEGIN AND RESPONSES BE RECEIVED EARLY ENOUGH TO CONTRIBUTE TO ALLIED PREPARATIONS FOR MAIN BELGRADE MEETING. WHILE THE QUESTIONNAIRE MIGHT BE IMPROVED, WE FIND THAT IT IS REASONABLY PRECISE AND LENDS ITSELF TO BRIEF RESPONSES. END COMMENT.

4. ACTION REQUESTED: AUTHORIZATION TO ACCEPT THE TEXT OF THE QUESTIONNAIRE AT JULY 5 POLADS MEETING.

5. BEGIN TEXT OF FRG SPEAKING NOTES:

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1) IN THE LIGHT OF OUR DISCUSSION IN THE POLITICAL COMMITTEE ON 23 JUNE WE HAVE TRIED TO MAKE OUR QUESTIONNAIRE PRECISE AND EASY FOR OUR COLLEAGUES IN EASTERN EUROPEAN CAPITALS TO ANSWER.

2) WE PROPOSE THE FOLLOWING SHORT TEXT AS AN INTRODUCTION TO THE QUESTIONNAIRE: "WHEREVER POSSIBLE, ANSWERS SHOULD BE CONCISE AND FACTUAL, BEARING IN MIND THE TEXT OF THE SEVENTH PRINCIPLE OF THE FINAL ACT, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE UN-COVENANTS ON HUMAN RIGHTS."

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 158467

3) A SEVENTH QUESTION SUGGESTED BY THE DUTCH DELEGATION WOULD READ AS FOLLOWS:

"IN PARA ONE OF THE SEVENTH PRINCIPLE THE PARTICIPATING STATES HAVE STATED THAT THEY WILL RESPECT HUMAN RIGHTS AND FUNDAMENTAL FREEDOM WITHOUT DISTINCTION AS TO RACE, SEX, LANGUAGE OR RELIGION. DID EASTERN PARTICIPANTS COMPLY WITH THESE PROVISIONS, ESPECIALLY CONCERNING EQUAL PAY AND EQUAL CHANCES FOR PROMOTION AND SO ON FOR MEN AND WOMEN?"

END TEXT.

BEGIN TEXT OF DRAFT QUESTIONNAIRE:

IMPLEMENTATION OF THE CSCE FINAL ACT
BY EASTERN PARTICIPANTS
HUMAN RIGHTS - SEVENTH PRINCIPLE

1) CONCISE SURVEY OF THE OVERALL SITUATION IN THE FIELD OF HUMAN RIGHTS AS SET FORTH IN THE SEVENTH PRINCIPLE. HAS

THERE BEEN ANY CHANGE SINCE THE SIGNING OF THE FINAL ACT?

2) HAVE THERE BEEN ANY CHANGES IN REGULATIONS, IN LAWS AND CONSTITUTIONAL PROVISIONS WITHIN THE LAST TWO YEARS AIMED AT IMPROVING THE EFFECTIVE ESERCISE ON HUMAN RIGHTS AND HAS AN IMPROVEMENT TAKEN PLACE?

3) FREEDOM OF THOUGHT AND FREEDOM OF CONSCIENCE

A) HAVE OFFICIAL MEASURES (IF SO, WHICH?) BEEN TAKEN AGAINST INDIVIDUALS OR GROUPS PUBLICLY ADVOCATING, WITHIN THE FRAMEWORK OF THE EXISTING CONSTITUTION, THE IMPLEMENTATION OF THE FINAL ACT?

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PAGE 04 STATE 158467

B) HAVE MEASURES BEEN TAKEN AGAINST INDIVIDUALS OR GROUPS WHO PUBLICLY ADVOCATE THE IMPLEMENTATION OF THE PROVISIONS ON BASIC FREEDOMS CONTAINED IN THE NATIONAL CONSTITUTION?

C) HAVE MEASURES BECOME KNOWN AGAINST INDIVIDUALS OR GROUPS WHO PUBLICLY ADVOCATE CHANGES IN THE EXISTING SOCIAL SYSTEM?

D) WHAT IS THE DEGREE OF FREEDOM FOR ARTISTS, WRITERS AND MUSICALS WHOSE VIEWS DO NOT AGREE WITH THE OFFICIAL LINE? CAN THEY

--EXHIBIT THEIR WORKS? DO THE AUTHORITIES TAKE ACTION AGAINST UNAUTHORIZED EXHIBITIONS?

--GIVE PUBLIC CONCERTS?

4) FREEDOM OF RELIGION

A) PARA 3 OF PRINCIPLE 7 DEALS WITH FREEDOM OF RELIGION. HAVE THERE BEEN RECENT DEVELOPMENTS STRENGTHENING THE RESPECT FOR FREEDOM OF RELIGION?

B) WHAT IS THE RELATIONSHIP BETWEEN STATE AND CHURCH AS PROVIDED FOR IN THE CONSTITUTION?

C) WHAT ARE THE REAL POSSIBILITIES FOR FREE WORSHIP (RELIGIOUS INSTRUCTION, CONSTRUCTION OF CHURCHES, UNIMPEDED ACCESS TO RELIGIOUS SERVICES, TRAINING OF YOUNG PRIESTS, FINANCIAL BASIS OF THE CHURCHES?)

D) ARE RELIGIOUS SECTS AUTHORIZED, OR ARE THEY PERSECUTED?

5) THE SITUATION OF RACIAL AND NATIONAL MINORITIES

CONFIDENTIAL

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PAGE 05 STATE 158467

A) ARE THE RIGHTS OF RACIAL AND NATIONAL MINORITIES MENTIONED AND EXPLICITLY RECOGNIZED IN THE VARIOUS CONSTITUTIONS?

B) ARE PERSONS BELONGING TO RACIAL OR NATIONAL MINORITIES PERSECUTED OR DISCRIMINATED AGAINST (CHOICE OF JOBS, WAY IN WHICH MILITARY SERVICE HAS TO BE PERFORMED)?

C) DO NATIONAL MINORITIES HAVE THE POSSIBILITY TO

--MAINTAIN THEIR OWN SCHOOLS,

--PRINT THEIR OWN NEWSPAPERS,

--PLAY THEIR OWN THEATER?

D) DO THE MEMBERS OF NATIONAL MINORITIES HAVE UNIMPEDED ACCESS TO ALL PROFESSIONS AND JOBS?

E) ARE NATIONAL MINORITIES

--CONCENTRATED IN SPECIAL AREAS WITHOUT THE POSSIBILITY OF SETTLING IN ALL PARTS OF THE COUNTRY, OR

--ARE THEY SYSTEMATICALLY DISPERSED IN ORDER TO REDUCE THEIR COHESION?

F) HAVE ANY MEASURES BEEN TAKEN TO IMPROVE THE RESPECT OF RIGHTS OF RACIAL AND NATIONAL MINORITIES?

6) RIGHT OF FREE EMIGRATION

A) ARE THERE ANY RULES CONFIRMING THIS RIGHT (INVERSELY, ARE THERE ANY RULES EXCLUDING THIS RIGHT)?

B) IS THERE A REAL POSSIBILITY TO LEAVE THE COUNTRY LEGAL-
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PAGE 06 STATE 158467

LY, AND WHAT ARE, AS A RULE, THE CONSEQUENCES FOR THE INDIVIDUAL (LOSS OF NATIONALITY, LOSS OF PROPERTY LEFT BEHIND, COMPENSATION PAYMENTS FOR THE COST OF EDUCATION)?

C) ARE THERE ANY EXCEPTIONS TO A RESTRICTIVE PRACTICE, AND, IF SO, FOR WHICH REASONS? BENNETT UNQTE VANCE

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